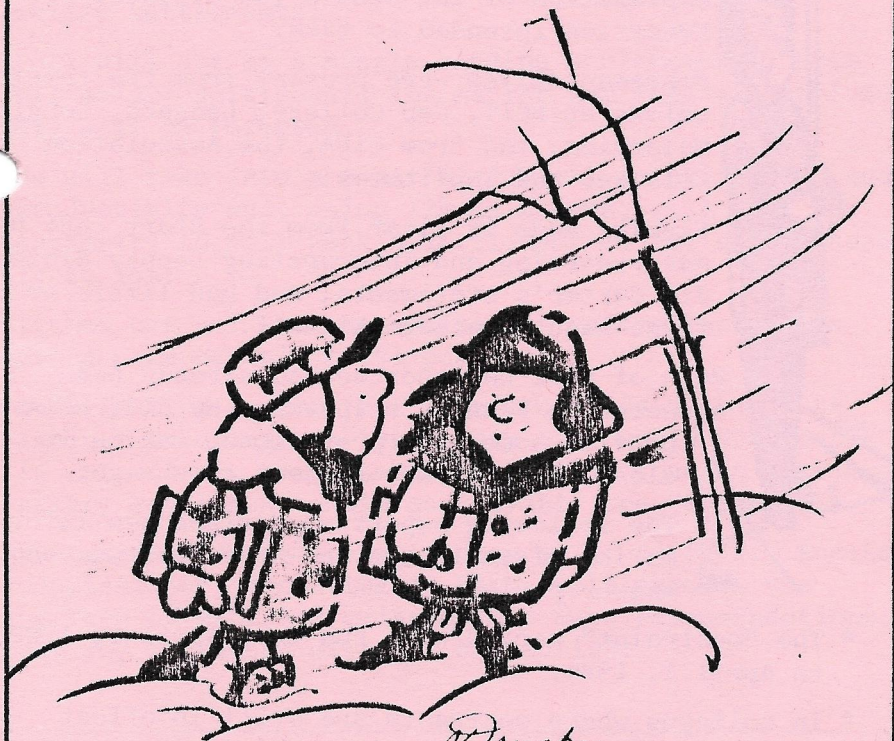


FSA NEWSLETTER



Drucker

*"I can see why they made February the shortest
month of the year."*

MARCH

1982

THE NEW RESTRAINTS

Report of a meeting between the Assistant Deputy Minister of Finance, Jack Fleming, and the College Faculty Union representatives. Laura Neame attended on behalf of the FSA and has provided this account for the Newsletter.

The meeting took place the morning after Premier Bennett's televised speech on wage restraints, and was intended as a further explanation of the stance the Ministry of Education intended to take.

Representatives were present from the faculty unions at BCIT, Cap College, Langara, Douglas, Malaspina, and from CIEA, the Association of Colleges and Institutes.

Fleming made it clear from the start that he was reporting and interpreting Deputy Minister Jim Carter's statements, and had little or no first-hand knowledge himself.

Much of what he reported had already been answered in Bennett's speech. He did, however, provide some interpretations, making it clear that all was subject to change.

The following report summarizes new information given in the one-hour question and answer period:

- * The "restraint" period will run from April 1, 1982, to April 1, 1984.
- * In colleges where contracts are still in effect after that date, the restraint period will begin with the end of the contract period and will end two years from that date.
- * Education Minister Smith is recommending to the government that of the 12% available to institutions, a higher proportion be directed to the program areas and less to MAC (MAC, or the Management Advisory Council, funds Student Services, the LRC, and the Business Office).
- * There will be "discretionary funds" available to help colleges honour contractual commitments already made. These "discretionary funds" could bring the

THE
WORLD
IS
RUINED
BY
DOPS



allocations to a college up to 14%. Distribution of these funds will be the responsibility of a Commissioner who will be appointed by the Ministry of Education to examine the situation in each college.

- * This Commissioner is NOT part of Commissioner Peck's operation and will report to the Education Minister, not to Peck or Premier Bennett.
- * The Ministry of Education commissioner will be looking at education operating monies, while Peck will look at salary settlements.
- * Peck will act as a single binding arbitrator to whom all salary settlements (no matter how they are arrived at) will be referred.

He will take into account historical relationships and productivity and, using 12% as a base, will have the authority to roll back a settlement to 10% or increase it to 14%.
- * It has not yet been determined if salary increments are a part of this total percent.
- * Jack Fleming agreed that high productivity can work against a college; a 14% salary hike would NOT result in extra money over the 12% lift, and thus an increased salary settlement could conceivably create lay-offs.
- * Excluded salaries are all frozen as of April 1. Another Commissioner, reporting to Peck, will examine the pattern of excluded salaries and make recommendations, but any increases will not exceed 12%.

Do you have any concerns, problems, suggestions about benefits?

"Benefits" for this purpose include all those items in Articles 25, 26, and 27 of the current contract.

The Committee working on the benefits clauses for next contract wants to hear from you. Please send a note outlining your opinions to any member of the Committee AS SOON AS POSSIBLE.

Scott Fast, Chilliwack
Ken Fernstrom, Abbotsford
Betty Harris, Abbotsford
Leslie Wood, Chilliwack

PD COMMITTEE

Note also that a motion was passed which requires those who are applying for educational leave to inform their colleagues as to their intent. So if you are applying for educational leave this year, please make sure that you let everyone in your area know prior to submission of your application. In future, the application form will be amended to include the question of whether consultation has taken place.

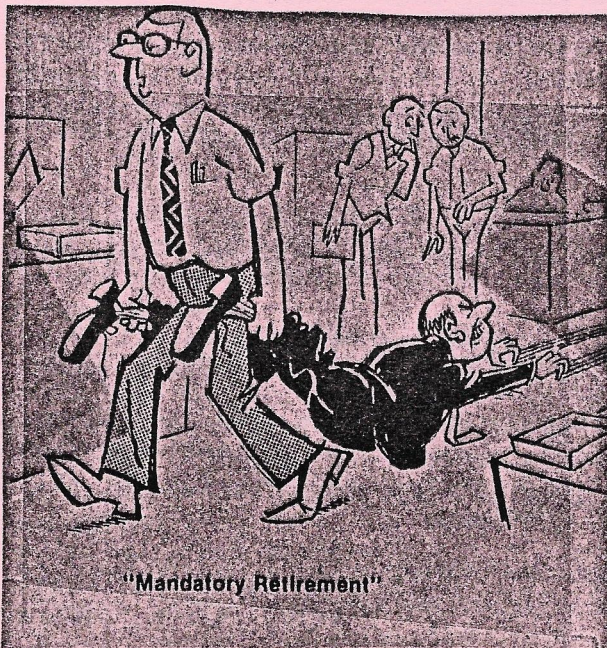
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CONGRATULATIONS TO VERONICA DYKES, who has recently been elected Vice-President of the Western Canadian College Stores Association. This association represents the managers of all college and university bookstores in British Columbia and Alberta.

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LANDMARK DECISION

In Manitoba, at least, civil servants can no longer be forced to retire at 65. This is age discrimination. (And working longer would help relieve the pressure on pension plans, too. Canada's population is aging.)



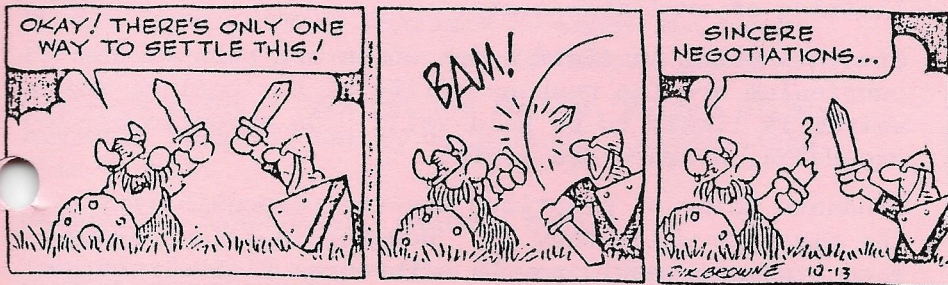
THE WOMAN BEHIND THE NEWSLETTER

Victoria Nowell, Faculty Receptionist in Chilliwack, has been getting the Newsletter shaped up; month after month she takes the editor's nasty draft and produces from it the readable document you get. So we asked her for a brief biography, and here it is.

Victoria lived on a farm in Agassiz in her early years, graduated from Sardis High School, and went on to Douglas College and BC Vocational. She was on her way out of the Valley to look for work elsewhere when she answered the ad for FVC. She was bookstore clerk and steno pool clerk within the space of a week, and finally was the bookstore clerk with a large bookshelf to supervise in the middle of a room over the Answer (now Casanova's). Then she returned to the steno pool and remembers the secretaries having (unassisted) to direct the move to the present Chilliwack building which had no electricity; unfinished walls, floors, and ceilings; no telephones; and a pervasive smell of industrial glue. Ella Miller was the switchboard operator and will remember, like Victoria, trying to work while the carpenters hammered. Then came the first Xerox monster, the 9200, and Victoria operated it until the job of Faculty Receptionist became available. Victoria has stayed in this job because she likes the variety and autonomy of the position.

Victoria's interests are reading, sewing, gardening, cats, travel, food, and wine.

HAGAR



STUDENT RIGHTS AND FACULTY DANGERS should have been the title of the workshop given by Ms. Kitty Heller of Russell and Newland, the College's new law firm.

Ms. Heller referred to several cases now in process in other educational institutions in BC: One student who failed a nursing course is suing the instructor for failure to fulfill an educational contract; another is alleging racial discrimination because he failed a course; a third started a libel action over a letter of reference given to the institution to which the student wished to transfer. Another grievance - so far internal - relates to a student who claims the instructor's political beliefs were imposed on the student during an economics course (if you are a zealot, invite a guest speaker of opposite persuasion).

Students with psychological problems can cause continuing misery for faculty by lodging unjustified complaints and bringing legal actions. Hence Ms. Heller cautioned against exact prohibitions with regard to student behavior; you can never foresee everything. Shooting another student is not something most institutions feel they need to include in their definitions of inappropriate student conduct. It does occur. A student can defend himself against charges of inappropriate behavior if detailed regulations are made and his behavior does not specifically contravene any of them.

The College Calendar is a contract unless a clear disclaimer is inserted. Hence, a "first come first served" statement prevents the selection of students from applications received by a stated deadline. An "open door policy" should not be promised when budgetary constraints, for example, may make necessary the limiting of available seats.

Students going on field trips which are part of the curriculum are the responsibility of the College and no waiver is likely to be held valid. On an optional excursion, waivers are useful.

Students going on practicum are the responsibility of the place to which they go. However, opinions about such students should not be offered as a libel charge may be possible. If the information is requested, then the opinion may be claimed to be a privileged communication. All material which supports your opinion should be recorded and dated, however.

Documentation of misdemeanors, warnings, and disciplinary actions should be maintained by the College together with the factual basis for them. It is extremely important that faculty explain exactly the basis of the term grade; the marking curve; how practicum performance and other behaviors will be assessed; how late penalties, participation, and attendance may affect the grade.

Privacy is not a right which the College can guarantee. A Human Rights investigator, for instance, can require that information with regard to personal beliefs be furnished, and access to the personal records of all those who might be connected with an appeal, however remotely, be permitted. Also, any employee processing information which indicates a student may damage a third party should not be bound to respect confidentiality. If he does, and damage occurs, the third party may sue him.

In general, the lawyer believed that where the College could be held liable it should retain its right to act. She suggested that a student ombudsman, paid by the College **to prepare** student complaints for an internal panel, might defuse some potentially dangerous situations. But such an internal panel should not be able to make a disciplinary decision with regard to employees unless employees have a method of appeal.

The workshop was interesting and disturbing, not only as it applied to the Student Rights and Responsibilities document but also as it raised the more general question about how far the normal co-operative relationships between the College and its students could be protected. It was certainly one of the most thought-provoking workshops your editor has recently attended!

* * * * *

THANKS FROM CONTRACT CHAIRMAN to those who have finished their job on the new contract clauses:

Health & Safety: Gordon von Hollen, Walter Bissky, Marshall Langtry, Harvey McCullough, Carter Singh, Alan Stokes.

Salaries: Alan Davis, Maureen McVie.

Technological Change: Alan Cameron, Ron Harper.

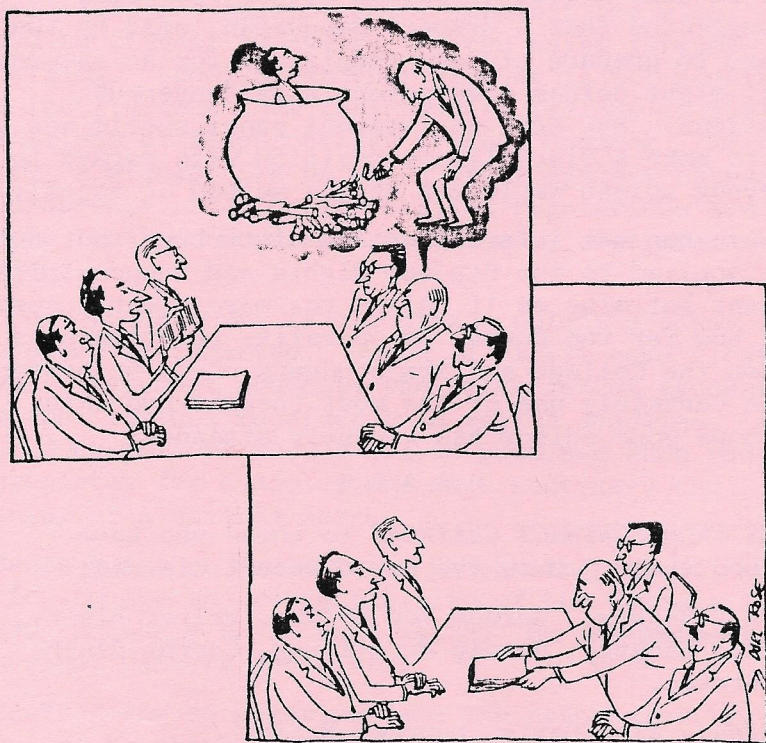
Staff Working Conditions: Carol Hardy, Leslie Wood.

Lay-Off: Jocelyn Creigh, Paul Herman, Barbara Pinkiewicz, Gordon von Hollen.

Thanks also to Ellenor Greaves and Rosie Rohatinsky for their assistance to the committees.

Benefits (Betty Harris, Leslie Wood, Scott Fast) is still working.

Agreements (Alan Cameron, Ron Coreau), with Paul Herman as resource person, has had its first meeting with the employer. Brian Hambley and Don Calnek are the appointees for the Board. Resource people may be added. The Agreements Committee is trying to come up with an interpretation of the lay-off clauses in the contract under which we must operate until a new contract is in place.



"The Corporation appreciates the clear and cogent outline of your union's demands and promises to give it the most serious consideration. May I suggest we set a date for our next meeting that will give us enough time to formulate counter-proposals?"